

Order

**Michigan Supreme Court
Lansing, Michigan**

November 25, 2015

Robert P. Young, Jr.,
Chief Justice

ADM File No. 2014-13

Stephen J. Markman

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein

Joan L. Larsen,

Justices

Proposed Amendment of
Rule 2.403 of the
Michigan Court Rules

On order of the Court, this is to advise that the Court is considering an amendment of Rule 2.403 of the Michigan Court Rules. Before determining whether the proposal should be adopted, changed before adoption, or rejected, this notice is given to afford interested persons the opportunity to comment on the form or the merits of the proposal or to suggest alternatives. The Court welcomes the views of all. This matter also will be considered at a public hearing. The notices and agendas for public hearings are posted at [Administrative Matters & Court Rules page](#).

Publication of this proposal does not mean that the Court will issue an order on the subject, nor does it imply probable adoption of the proposal in its present form.

[Additions to the text are indicated in underlining and deleted text
is shown by strikeover.]

Rule 2.403 Case Evaluation

(A)-(K)[Unchanged.]

(L) Acceptance or Rejection of Evaluation.

- (1) Each party shall file a written acceptance or rejection of the panel's evaluation with the ADR clerk within ~~28~~14 days after service of the panel's evaluation. Even if there are separate awards on multiple claims, the party must either accept or reject the evaluation in its entirety as to a particular opposing party. The failure to file a written acceptance or rejection within ~~28~~14 days constitutes rejection.
- (2) There may be no disclosure of a party's acceptance or rejection of the panel's evaluation until the expiration of the ~~28~~14-day period, at which time

the ADR clerk shall send a notice indicating each party's acceptance or rejection of the panel's evaluation.

(3) [Unchanged.]

(M)-(O)[Unchanged.]

Staff Comment: This proposed amendment, submitted by the Michigan Judges Association, would reduce the time period from 28 days to 14 days in which a party would be required to accept or reject a case evaluation award.

The staff comment is not an authoritative construction by the Court. In addition, adoption of a new rule or amendment in no way reflects a substantive determination by this Court.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Office of Administrative Counsel in writing or electronically by March 1, 2016, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2014-13. Your comments and the comments of others will be posted under the chapter affected by this proposal at [Proposed & Recently Adopted Orders on Admin Matters page](#).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 25, 2015

Clerk